

**POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2012-43A on  
first reading.

# MEMO

**To:** Mayor McConnell and Members of the Assembly  
Jim Dinley, Municipal Administrator  
**From:** William Stortz, Building Official *WS*  
**Reviewed by:** Michael Harmon *MH*  
Theresa Hillhouse  
**Date:** 11/20/12  
**Subject:** Building codes update

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**Background** – Sitka General Code 19.01 Building Code; 19.02 Electrical Code; 19.04 Mechanical Code; 19.05 Fire Code; 19.08 Code Applicability; 19.09 Electrical Code for Islands; 19.11 Mechanical Code for Islands; 19.12 Fire Code for Islands; and 19.14 Building Code for Islands need to be updated in order to stay current with evolving building science and safety standards, comply with State statutes, and satisfy insurance rating agencies.

**Analysis** – The City and Borough of Sitka adopts the International Building Code, the International Fire Code, and the International Mechanical Code published by the International Codes Council (ICC). These codes are typically on a three year cycle. Sitka is currently operating on the 2006 ICC codes.

The City and Borough of Sitka Building Department operates under a deferral from the State Fire Marshal granted in 1999. This allows the Building Department to review and permit commercial construction projects and requires the Building Department to conduct fire and life safety inspections of commercial properties in Sitka. Under that deferral we are required to adopt codes no less stringent than those adopted by the State of Alaska. The State Fire Marshal has adopted the 2009 ICC codes and they are now in effect statewide.

Sitka also adopts the National Electrical Code (NEC) published by the National Fire Protection Association. Sitka General Code Title 19 currently references the 2008 NEC. The State of Alaska recognizes the authority of local governments to adopt their own codes but those codes may be no less stringent than the codes adopted by the State. (See AS 18.60.580 and AS 18.60.735) On October 16, the 2011 NEC became the electrical code in effect for the State of Alaska.

## **Impact to the Community** –

The Building Department was audited this summer by the Insurance Services Organization (ISO). The ISO rates communities on various aspects of how the Building Department enforces codes and what codes are in effect. A community that enforces building codes more than five years old will receive a lower rating than one that adopts more recent codes. This is one of

several measurements used to set insurance rates for a community going forward from the time the rating is published. During the audit, I informed the auditor that we would be updating the Building Code this fall. He assured me that should we adopt a newer code in a timely manner that our ISO rating would not be negatively impacted.

Electrical contractors licensed by the State of Alaska are operating under the NEC as adopted by the State of Alaska. The Building Department needs to interpret and enforce the same codes as those adopted the State and utilized by the professional building community.

**Recommendation** – Adopt by reference through an ordinance amending Sitka General Code 19.01, Building Code, SGC 19.02 Electrical Code, SGC 19.04 Mechanical Code, SGC 19.05, Fire Code, SGC 19.08, Code Applicability, SGC 19.09, Electrical Code for Islands, and SGC 19.11, Mechanical Code for Islands, 19.12 Fire Code for Islands, and 19.14 Building Code for Islands.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2012-43A

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING  
SITKA GENERAL CODE TITLE 19 ENTITLED "BUILDING AND CONSTRUCTION"  
TO UPDATE EXISTING PROVISIONS

1. **CLASSIFICATION.** This Ordinance is of a permanent nature and is intended to become part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this Ordinance or any application to any person or circumstance is held invalid, the remainder of this Ordinance and application to any person or circumstances shall not be affected.

3. **PURPOSE.** This ordinance generally addresses housekeeping measures to adopt the current or recodified (renumbered) version of various state and federal building, fire, electrical and mechanical codes required by legal authorities that are cross referenced in SGC. Some clerical amendments are included for consistency purposes.

4. **NOW, THEREFORE, BE IT ENACTED** by the Assembly of the City and Borough of Sitka that SGC Title 19 is amended as follows (new language underlined; deleted language stricken):

**Chapter 19.01  
BUILDING CODE**

**Sections:**

- 19.01.010 Adoption by reference.
- 19.01.013 Adoption of excavation and grading standards.
- 19.01.014 Adoption by reference of International Residential Code.
- 19.01.015 Power of assembly to grant a variance or waiver by motion.
- 19.01.016 International Building Code Chapter 1 amended.
- 19.01.017 International Residential Code Chapter 1 amended.
- 19.01.018 International Building Code Chapter 2 amended.
- 19.01.020 Permit fees.
- 19.01.021 International Building Code Section 109.48.4.
- 19.01.030 International Residential Code Table R302.6 amended - Dwelling/Garage Fire Separation. Section-
- 19.01.035 International Residential Code Section R313 Automatic Fire Sprinkler Systems deleted
- 19.01.040 Table 508.2.5 amended—Incidental use areas.
- 19.01.041 International Building Code Section 709.3 ~~508.3~~.amended—Fire Resistance Rating Nonseparated.







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2 A new section R311.9 is added which reads: “For cupolas and similar small, one-room  
3 spaces not more than 50 square feet in size and not to be used as sleeping spaces, the  
4 Building Official may approve permanent ladders as a means of access and egress.”

5  
6 \* \* \*

7 **19.01.085 International Residential Code amended—Grinder pumps to be accessible.**

8  
9 International Residential Code Section R306.3 is amended by adding the following  
10 sentence: “Grinder pumps shall be installed outside the foundation perimeter of the structure  
11 or at an alternate accessible location approved by the building official.”

12  
13 \* \* \*

14 **19.01.100 Chapter 17 amended—Earth support and danger trees.**

15  
16 \* \* \*

17 It is the intent of the Assembly that matters of concern under this subsection be handled as  
18 expeditiously as possible and that the Building Official handle them in-house whenever  
19 possible to avoid delay from frivolous complaints or concerns.

20  
21 \* \* \*

22 **19.01.200 Chapter 35, Referenced Standards, modified.**

23  
24 Chapter 35, Referenced Standards, of the IBC is revised by changing or adding the  
25 referenced standards from the publication date listed to the following edition, and the  
26 standards are adopted by reference:

27  
28 N.F.P.A. 10-201007, Portable Fire Extinguishers;

29  
30 N.F.P.A. 13-201007, Installation of Sprinkler Systems;

31  
32 N.F.P.A. 13D-201007, Installation of Sprinkler Systems in One- and Two-Family Dwellings  
33 and Manufactured Homes;

34  
35 N.F.P.A. 13R-201007, Installation of Sprinkler Systems in Residential Occupancies Up to  
36 and Including Four Stories in Height;

37  
38 N.F.P.A. 14-201007, Standpipe and Hose System;

39  
40 N.F.P.A. 20-201007, Installation of Stationary Pumps for Fire Protection;

41  
42 N.F.P.A. 72-201007, National Fire Alarm Code;

43  
44 N.F.P.A. 750-201006, Standards on Water Mist Fire Protection Systems.

45  
46 **Chapter 19.02**



**ELECTRICAL CODE**

Sections:

- 19.02.010 Adoption by reference.**
- 19.02.020 Application for permit.**
- 19.02.030 Section 230-70(A) amended—Service disconnecting means—Location.**
- 19.02.031 International Residential Code Chapter 365 amended.**

**19.02.010 Adoption by reference.**

The 2011 Edition of the National Electrical Code, copyrighted by the National Fire Protection Association, is adopted and incorporated by reference.

\* \* \*

**19.02.031 International Residential Code Chapter 36 amended.**

Section E3601.6.2 of Chapter 36 of the International Residential Code is modified by revising the first sentence to read as follows:

The service disconnecting means shall be installed outside of a building or other structure at a location approved by the Building Official.

\* \* \*

**Chapter 19.04  
MECHANICAL CODE**

\* \* \*

**19.04.010 Adoption by reference.**

The 2009 Edition of the International Mechanical Code promulgated by the International Code Council, is adopted and included ~~herein~~ by reference, including the following appendices:

Appendix A, Combustion Air Opening and Chimney Connector Pass-Throughs.

\* \* \*

**Chapter 19.05  
FIRE CODE**

\* \* \*

**19.05.010 Adoption by reference.**

The 2009 Edition of the International Fire Code, as promulgated by the International Code Council, is adopted and included ~~herein~~ by reference.

\* \* \*

**Chapter 19.09  
ELECTRICAL CODE FOR ISLANDS**

\* \* \*

**19.09.010 Adoption by reference.**

1  
2 The 2011~~08~~ Edition of the National Electrical Code, copyrighted by the National Fire  
3 Protection Association, is adopted and incorporated by reference.

4  
5 \* \* \*

6 **Chapter 19.11**  
7 **MECHANICAL CODE FOR ISLANDS**

8 \* \* \*

9 **19.11.010 Adoption by reference.**

10  
11 Certain portions of the 2009~~3~~ International Mechanical Code are adopted and included ~~herein~~  
12 by reference. Adopted portions are: Chapters 1 (Administration), 2 (Definitions), 3 (General  
13 Regulations), 4 (Ventilation), 7 (Combustion Air), 8 (Chimneys and Vents), Chapter 9  
14 (Specific Appliances, Fireplaces, and Solid Fuel Burning Equipment), Chapter 10 (Boilers,  
15 Water Heaters, and Pressure Vessels), and Chapter 13 (Fuel Oil Piping and Storage).

16 \* \* \*

17 **Chapter 19.12**  
18 **FIRE CODE FOR ISLANDS**

19 \* \* \*

20 **19.12.010 Adoption by reference.**

21  
22 Certain portions of the 2009 International Fire Code are adopted and included ~~herein~~ by  
23 reference. Adopted portions are: Article 1 (Administration), Article 2 (Definitions and  
24 Abbreviations), Chapter 3 (General Precautions Against Fire), excluding Section 307 (Open  
25 and Recreational Fires).

26  
27 **Chapter 19.14**  
28 **BUILDING CODE FOR ISLANDS**

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31 **19.14.010 Adoption by reference of certain portions of International Building Code as**  
32 **modified.**

33  
34 Certain portions of the 2009 International Building Code published by the International Code  
35 Council, and as modified in other sections of this title, are adopted and included ~~herein~~ by  
36 reference. Adopted portions are: Chapters 1 (Administration), 2 (Definitions), 3 (Use and  
37 Occupancy Classification), 5 (General Building Heights and Areas), 6 (Types of  
38 Construction), 7 (Fire-Resistance-Rated Construction), 8 (Interior Finishes), 10 (Means of  
39 Egress), 14 (Exterior Walls), 15 (Roof Assemblies and Rooftop Structures), 16 (Structural  
40 Design), 18 (Soil and Foundations), 19 (Concrete), 22 (Steel), 23 (Wood), 24 (Glass and  
41 Glazing), 25 (Gypsum Board and Plaster), 33 (Safeguards During Construction), including  
42 Appendix B, Board of Appeals, and Appendix C, Group U Agricultural Buildings.

43  
44 **19.14.012 Adoption by reference of International Residential Code for One- and Two-**  
45 **Family Dwellings.**

46

1 The 2009 International Residential Code for One- and Two-Family Dwellings by the  
2 International Code Council, as modified in other sections of this title, is adopted and included  
3 herein by reference.

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6 5. **EFFECTIVE DATE.** This ordinance shall become effective within 30 days after  
7 passage by the Assembly of the City and Borough of Sitka.

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9 6. **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and  
10 Borough of Sitka, Alaska this 26th day of December, 2012.

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14 \_\_\_\_\_  
Mim McConnell, Mayor

15 ATTEST:

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17 \_\_\_\_\_  
18 Sara Peterson, CMC  
19 Municipal Clerk